

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHINEDU ENIGWE,

Plaintiff,

v.

CLYDE GAINEY, et al.,

Defendants.

CIVIL ACTION

No. 10-684

ORDER

AND NOW, this 20th day of January, 2012, for the reasons stated in the accompanying Memorandum issued this same date, it is hereby **ORDERED** that:

- (1) Plaintiff Chinedu Enigwe's Motion for Default Judgment as to Warden Clyde Gainey (Docket No. 31) is **DENIED**;
- (2) Defendant Prison Health Services, Inc.'s Motion to Dismiss Plaintiff's Second Amended Complaint (Docket No. 33) is **GRANTED**;
- (3) Defendant Clyde Gainey's Motion to Dismiss (Docket No. 35) is **GRANTED**; and,
- (4) Plaintiff's Second Amended Complaint (Docket No. 32), is **DISMISSED WITH PREJUDICE** as to both defendants.

BY THE COURT:

/s/ Louis H. Pollak
Pollak, J.